

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JOHNNY KENNEDY,

Plaintiff,

v.

BRUCE L. CURTIS, *et al.*,

Defendants.

Case No. 08-10267

DISTRICT JUDGE
ARTHUR J. TARNOW

MAGISTRATE JUDGE
DONALD A. SCHEER

ORDER
ADOPTING THE MAGISTRATE'S REPORT AND RECOMMENDATION [40]
and
DENYING PLAINTIFF'S MOTION TO DISMISS WITHOUT PREJUDICE [38]

Before the Court is the Magistrate Judge's Report and Recommendation [40], filed on May 24, 2010, regarding Plaintiff's Motion to Dismiss Without Prejudice [38]. The Magistrate Judge recommended that Plaintiff's Motion be denied, and the parties have filed no objections to the Report and Recommendation.

There having been no objections, and the Court being fully advised in the premises,

IT IS ORDERED that the Report and Recommendation [40] is **ADOPTED**.

Accordingly, Plaintiff's Motion to Dismiss Without Prejudice [38] is **DENIED**.

SO ORDERED.

S/ARTHUR J. TARNOW

Arthur J. Tarnow

United States District Judge

Dated: June 24, 2010

I hereby certify that a copy of the foregoing document was served upon counsel of record
and

Johnny Kennedy # 139041
COOPER STREET CORRECTIONAL FACILITY
3100 COOPER STREET
JACKSON, MI 49201

on June 24, 2010, by electronic and/or ordinary mail.

S/LISA M. WARE
Case Manager